

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA  
5:06-CV-40

JAMES T. WARD, as )  
Chapter 7 Bankruptcy Trustee for )  
INDUSTRIAL FUEL COMPANY, INC. )  
Plaintiff, )  
vs. )  
 )  
INVISTA S.A.R.L., LLC, )  
Defendant. )

**CONSENT ORDER SUBSTITUTING PARTY AND SETTING BRIEFING SCHEUDLE**

The Court, upon the Consent Motion of the Parties, and pursuant to 11 U.S.C. §323(b) and F.R. Civ. P. 25, hereby substitutes James T. Ward, as Chapter 7 Bankruptcy Trustee (“Trustee”) for the original Plaintiff, Industrial Fuel Company, Inc. (“Industrial Fuel”), as the party Plaintiff to this lawsuit. The case caption shall be amended as shown on this Order to reflect that change.

Furthermore, the parties shall submit to this court, further briefing on the impact, if any, of the Bankruptcy Filing of the Original Plaintiff, Industrial Fuel, on the various motions now pending before this Court. Specifically, the Trustee shall have three (3) days from the date of entry of this Order in which to file a supplemental Memorandum; the Defendant shall have 17 days from the date of filing of the Trustee’s Memorandum in which to file a Response; and the Trustee shall have 10 days from the date of filing of Defendant’s Response in which to file a Reply or a statement that it desires no Reply.

Signed: February 7, 2007

A handwritten signature in black ink, reading "Richard L. Voorhees". The signature is written in a cursive style with a horizontal line drawn through the middle of the letters.

Richard L. Voorhees  
United States District Judge

